

DETAILED ACTION

Election/Restrictions

Claims 1, 21, and 62 are allowable. Claims 10-12, 27-29, 65-66, previously withdrawn from consideration as a result of a restriction requirement, require all the limitations of the allowable claims. Pursuant to the procedures set forth in MPEP § 821.04(a), **the restriction requirement among the species, as set forth in the Office action mailed on 10/14/08, is hereby withdrawn** and claims 10-12, 27-29, 65-66 are hereby rejoined and fully examined for patentability under 37 CFR 1.104. In view of the withdrawal of the restriction requirement, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Holby Abern on 3/25/11.

The application has been amended as follows: replace claims 1, 10-12, 21, 27-29, 61-62, 64-67 in its entirety with the following.

Claim 1: A computer-implemented gaming method comprising:

(a) causing at least one processor to execute a plurality of instructions to identify a player of a first gaming unit, said player identified in association with a player tracking card;

(b) after a tournament game card is provided to the player in response to paying a fee, enabling the identified player to select to play in a tournament, said tournament associated with tournament gaming software and the tournament game card is distinct from the player tracking card; and

(c) if the identified player selects to play in the tournament:

(i) receiving from said first gaming unit, an identifier associated with the tournament game card, wherein the tournament is in progress when the identifier is received ~~and~~;

(ii) causing the at least one processor to execute the plurality of instructions to determine whether the identifier received from the first gaming unit is authentic; and

(iii) if the identifier is determined to be authentic:

(A) causing the at least one processor to execute the plurality of instructions to determine a time duration the identified player may play in the time remaining in the tournament in progress, said determined time duration being based on the identifier;

(B) causing the at least one processor to execute the plurality of instructions to initialize a timer with the amount of time of said determined time duration;

(C) causing the at least one processor to execute the plurality of instructions to start the timer;

(D) for each play of a tournament game during the determined time duration:

(I) causing the at least one processor to execute the plurality of instructions to determine a tournament game outcome from a plurality of different tournament game outcomes,

(II) causing the at least one processor to execute the plurality of instructions to determine any award associated with the determined tournament game outcome, and

(III) causing at least one display device to display any determined award to the identified player;

(E) causing the at least one processor to execute the plurality of instructions to stop the timer after one of:

(I) the timer has run for the amount of time of said determined time duration, and

(II) when the identified player terminates play on said first gaming unit prior to expiration of the amount of time of said determined time duration;

(F) causing the at least one processor to execute the plurality of instructions to determine a tournament score of the identified player,

(G) causing the at least one display device to display the determined tournament score, said determined tournament score being displayed in addition to any displayed awards for the plays of the tournament game;

(H) causing the at least one processor to execute the plurality of instructions to determine if the identified player is a winning player of the tournament, said determination based a comparison of the tournament score of the identified player to at least one tournament score of at least one different player; and

(l) if the identified player is the determined winning player of the tournament, causing the at least one processor to execute the plurality of instructions to determine a value payout to be awarded to the identified winning player.

Claim 10: The computer-implemented gaming method according to claim 9, further comprising:

~~causing at least one memory device to store~~ storing an indication of a remaining amount of time of said determined time duration for the identified player to play in the tournament after the timer stops; and

causing the at least one processor to execute the plurality of instructions to re-initialize ~~re-initializing~~ the timer based on the stored indication of the remaining amount of time of said determined time duration before the timer restarts.

Claim 11: The computer-implemented gaming method according to claim 10, further comprising:

receiving the identifier from a second gaming unit after the timer stops;

causing the at least one processor to execute the plurality of instructions to determine ~~determining~~ whether the identifier received from the second gaming unit is authentic; and

if the identifier received from the second gaming unit is determined to be authentic;

~~wherein re-initializing the timer comprises re-initializing the timer if the identifier received from the second gaming unit is determined to be authentic; and~~

~~enabling the second gaming unit for play in the tournament while the timer is running~~

causing the at least one processor to execute the plurality of instructions to reinitialize the timer based on the stored indication of the remaining amount of

time of said determined time duration for the player to play in the tournament,
and

for each play of a tournament game at the second gaming unit during the
remaining amount of time of said determined time duration for the player to play
in the tournament:

(I) determining a tournament game outcome from a plurality of
different tournament game outcomes,

(II) determining any award associated with the determined
tournament game outcome, and

(III) displaying any determined award.

Claim 12: The computer-implemented gaming method according to claim 11,
wherein the timer comprises a first timer implemented by the first gaming unit and a
second timer implemented by the second gaming unit;

~~wherein initializing the timer comprises initializing the first timer; wherein enabling~~
~~the first gaming unit comprises enabling the first gaming unit while the first timer is~~
~~running;~~

~~wherein re-initializing the timer comprises initializing the second timer; and~~

~~wherein enabling the second gaming unit comprises enabling the second gaming~~
~~unit for play in the tournament while the second timer is running.~~

Claim 21: A tournament server comprising:
a network interface operatively coupled to a network; and
a controller operatively coupled to the network interface, the controller comprising
a processor and a memory configured to operate with the processor, the controller
configured to:

(a) identify a player of a first gaming unit, said player identified in association with a player tracking card;

(b) after a tournament game card is provided to the player in response to paying a fee, receive from a first gaming unit and via the network interface, an identifier associated with the tournament game card, wherein the tournament game card is distinct from the player tracking card;

(c) determine whether the identifier received from the first gaming unit is authentic; and

(d) if the identifier is determined to be authentic:

(i) determine a time duration the identified player may play in a tournament that is in progress, said determined time duration being based on the identifier and time remaining in the tournament[,];

(ii) initialize a timer with the amount of time of said determined time duration;

(iii) start the timer;

(iv) for each play of a tournament game during the determined time duration:

(A) determine a tournament game outcome from a plurality of different tournament game outcomes,

(B) determine any award associated with the determined tournament game outcome, and

(C) display any determined award to the identified player;

(v) stop the timer after one of:

(A) the timer has run for the amount of time of said time duration, and

(B) when the identified player terminates play on said first gaming unit prior to expiration of the amount of time of said determined time duration;

(vi) determine and display a tournament score of the identified player, said determined tournament score being displayed in addition to any displayed awards for the plays of the tournament game;

(vii) determine if the identified player is a winning player of the tournament, said determination based a comparison of the tournament score of the identified player to at least one tournament score of at least one different player; and

(viii) if the identified player is the winning player of the tournament is determined, determine a value payout to be awarded to the identified winning player,

Claim 27: The tournament server according to claim ~~26~~ 21, wherein the controller is configured to:

stop the timer at a request of the player; and

restart the timer at a request of the player if the timer has not run for the ~~determined~~ amount of time of said determined time duration.

Claim 28: The tournament server according to claim 27, wherein the controller is configured to:

store an indication of a remaining amount of time of said determined time duration for the player to play in the tournament after the timer has been stopped; and
re-initialize the timer based on the stored indication of the remaining amount of time of said determined time duration before the timer is restarted.

Claim 29: The tournament server according to claim 28, wherein the controller is configured to:

receive the identifier from a second gaming unit after the player stopped the timer;

determine whether the identifier received from the second gaming unit is authentic;

~~re-initialize the timer~~ if the identifier received from the second gaming unit is determined to be authentic;~~;~~ and

~~enable the second gaming unit for play in the tournament while the timer is running~~

reinitialize the timer based on the stored indication of the remaining amount of time of said determined time duration, and

for each play of a tournament game at the second gaming unit during the remaining amount of time of said determined time duration:

(A) determine a tournament game outcome from a plurality of different tournament game outcomes,

(B) determine any award associated with the determined tournament game outcome, and

(C) display any determined award to the identified player.

Claim 61: A non-transitory computer readable medium including computer executable program code for instructing a computer to operate as follows:

(a) identify a player of a first gaming unit, said player identified in association with a player tracking card, said first gaming unit configured for playing in a tournament;

(b) after a tournament game card is provided to the player in response to paying a fee, receive from the first gaming unit an identifier associated with the tournament game card, wherein the tournament is in progress when the identifier is received, and the tournament game card is distinct from the player tracking card;

(c) determine whether the identifier received from the first gaming unit is authentic; and

(d) if the identifier is determined to be authentic:

- (i) determine a time duration the identified player may play in the time remaining in the tournament in progress, said determined time duration being based on the identifier[.];
- (ii) initialize a timer with the amount of time of said determined time duration;
- (iii) start the timer;
- (iv) for each play of a tournament game during the determined time duration:
 - (A) determine a tournament game outcome from a plurality of different tournament game outcomes,
 - (B) determine any award associated with the determined tournament game outcome, and
 - (C) display any determined award to the identified player;
- (V) stop the timer after one of:
 - (A) the timer has run for the amount of time of said determined time duration, and
 - (B) when the player terminates play on said first gaming unit prior to expiration of the amount of time of said determined time duration;
- (vi) determine and display a tournament score of the identified player, said determined tournament score being displayed in addition to any displayed awards for the plays of the tournament game;
- (vii) determine if the identified player is a winning player of the tournament, said determination based a comparison of the tournament score of the identified player to at least one tournament score of at least one different player; and
- (viii) if the identified player is the determined winning player of the tournament, determine a value payout to be awarded to the identified winning player.

Claim 62: A computer-implemented method for enabling a player to join a tournament in progress using a device, said method comprising:

(a) causing at least one processor to execute a plurality of instructions to identify a player of a first device, said player identified in association with a player tracking card;

(b) after a tournament game card is provided to the player in response to paying a fee, receiving, from the identified player who has selected the first device to play in a tournament between multiple players, a tournament identifier associated with the tournament game card, wherein the tournament is in progress when the first device is selected by the player for playing the tournament and the tournament game card is distinct from the player tracking card;

(c) causing the at least one processor to execute the plurality of instructions to determine based on the tournament identifier and the time that the tournament identifier is received whether to enable the player to join the tournament;

(d) causing the at least one processor to execute the plurality of instructions to determine, based on the tournament identifier, a tournament duration indicative of a time duration that the player may play in the tournament in the time remaining in the tournament when it is determined to enable the player to join the tournament; and

(e) if the first device is not configured for playing the tournament when the first device is selected by the player for playing the tournament and it is determined to enable the player to join the tournament based on the tournament identifier, causing the at least one processor to execute the plurality of instructions to configure the first device to join the tournament;

(f) enabling the first device to join the tournament for tournament play by the player for the determined tournament duration, wherein each play of a tournament game played for the determined tournament duration includes:

(i) causing the at least one processor to execute the plurality of instructions to determine a tournament game outcome from a plurality of different tournament game outcomes,

(ii) causing the at least one processor to execute the plurality of instructions to determine any award associated with the determined tournament game outcome, and

(iii) causing at least one display device to display any determined award to the identified player; and

(g) upon a conclusion of the tournament:

(i) causing the at least one processor to execute the plurality of instructions to determine a tournament score of the identified player,

(ii) causing the at least one display device to display the determined tournament score, said determined tournament score being displayed in addition to any displayed awards for the plays of the tournament game,

(iii) causing the at least one processor to execute the plurality of instructions to determine if the identified player is a winning player of the tournament, said determination based a comparison of the tournament score of the identified player to at least one tournament score of at least one different player, and

(iv) if the identified player is the determined winning player of the tournament, causing the at least one processor to execute the plurality of instructions to determine a value payout to be awarded to the identified winning player.

Claim 64: The computer-implemented method as recited in claim 62, wherein the causing the at least one processor to execute the plurality of instructions to determine of whether to enable the player to join the tournament comprises:

causing the at least one processor to execute the plurality of instructions to determine whether the tournament identifier has been received within an acceptable time window allocated for tournament play.

Claim 65: The computer-implemented method as recited in claim 62, further comprising:

receiving a request from the player to stop playing the tournament; and
causing the at least one processor to execute the plurality of instructions to determine determining and storing the time left for that the player to play in the tournament as the player's a remaining time in the tournament; thereby allowing causing at least one memory device to store the determined remaining time in the tournament; and
enabling the player to resume tournament play using at least one selected from the group of: the first device and/or a second device.

Claim 66: The computer-implemented method as recited in claim 65, further comprising:

receiving at a controller comprising a processor and a memory an a tournament identifier from a second gaming device, wherein the second device has been selected by the player to play in the tournament;

determining, based on the tournament identifier, a second tournament duration that the player may play in the determined time remaining in the tournament; and

enabling the second device to play in the tournament for the second tournament duration, wherein each play of a tournament game played for the second tournament duration includes:

(i) determining a tournament game outcome from a plurality of different tournament game outcomes.

(ii) determining any award associated with the determined tournament game outcome, and

(iii) displaying any determined award to the identified player thereby allowing the player to use the second device to join the tournament in progress and play in the tournament for the determined amount of time for the player to play the tournament duration.

- Claim 67: A computing system comprising:
- at least one processor programmed to:
- identify a player in association with a player tracking card;
 - receive a tournament game card from the identified player, the tournament game card associated with a tournament identifier, said receiving of the tournament game card representing a request to join a tournament in progress, wherein the tournament game card is distinct from the player tracking card and the tournament game card is provided to the player in response to paying a fee;
 - determine based on the tournament identifier received whether to enable the identified player to join the tournament;
 - determine, based on the tournament identifier, a tournament time duration that the identified player may play in the time remaining in the tournament when it is determined to enable the identified player to join the tournament;
 - initialize a timer with the amount of time of said tournament time duration;
 - start the timer; and
 - for each play of a tournament game for the determined tournament time duration:
 - (a) determine a tournament game outcome from a plurality of different tournament game outcomes,
 - (b) determine any award associated with the determined tournament game outcome, and
 - (c) display any determined award to the identified player;; and stop the timer after one of:
 - (a) the timer has run for the amount of time of said tournament time duration, and
 - (b) when the player terminates play on said computing system for tournament play prior to expiration of the amount of time of said tournament time duration.

Allowable Subject Matter

Claims 1-3, 6-7, 9-15, 17-21, 24-25, 27-29, 61-62, 64-68 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 1-3, 6-7, 9-15, 17-21, 24-25, 27-29, 61-62, and 64-68, in combination with the other limitations, prior art fails to disclose the claim limitation of, after a tournament game card is provided to the player in response to paying a fee and the tournament game card is distinct from the player tracking card; receive an identifier associated with the tournament game card; determine a time duration the identified player may play in the time remaining in the tournament, said determined time duration being based on the identifier.

The closest prior art, Walker (US 6,077,163) discloses a method and a system for playing a game of a flat rate play session (abstract). The gaming device identifies price parameters or different game attributes and determines the flat rate price for playing the gaming device according the price attributes (Walker, abstract, cols. 3:6-63, 4:45-65). The player can pay for the flat rate gaming session using a player tracking card. The amount of time the player can play for is stored within the player's account associated with the player tracking card (col. 6:36-39). Schulman (US 2002/0123377) discloses a method and a system for allowing a player to play in a tournament in progress (Shulman, paragraphs 12, 16-19 and 31). This allows the player to observe the game before participating in the tournament. The combination of Walker and Shulman discloses a method and system for playing a tournament that is in progress for

a time duration based on the player account associated with the player tracking card. However, Walker in view of Shulman fails to disclose that the tournament game card is distinct from the player tracking card. Furthermore, Walker in view of Shulman fails to disclose after a tournament game card is provided to the player in response to paying a fee, receive an identifier associated with the tournament game and determine a time duration the player may play in the tournament. More specifically, Walker's flat rate price for a particular flat rate session is based on the parameters of that particular rate session. The fee or the "flat rate price" is determined when the parameters of the flat rate session have been determined. The fee is paid using the player's credit account. In other words, Walker's time determination to play a game is based on the selected parameters and before the fee is paid. Therefore Walker fails to teach that a purchased tournament game card is used to determine a time duration the player may play in a tournament.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasson H. Yoo whose telephone number is (571)272-5563. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 273-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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